

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TWELFTH DAY — TUESDAY, FEBRUARY 4, 1997

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 14).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hinojosa; Hirschi; Hochberg; Hodge; Holzheuser; Horn; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Junell; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Rodriguez; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Zbrank.

Absent, Excused — Bosse; Garcia; Yarbrough.

The invocation was offered by Dr. Terry Bozarth, First Presbyterian Church, Lockhart, as follows:

Nearly all the wisdom we possess, that is to say, true and sound wisdom, consists in two parts: the knowledge of God and of ourselves.

—John Calvin

Almighty God, look this day upon the elected representatives of the greatest state in the union and give them true and sound wisdom. We give you thanks for our form of representative government. You showed humankind this way to rule itself in the days of the judges in Israel, in the early New Testament church, and the Reformation. "The Right of a Free People to Govern Themselves," by Dr. James MacDonald, defines who we are as Texans. Where did we get this idea? We got it from our national constitution, whose framers got it from Presbyterians, who got it from John Calvin in the Reformation, who got it from the Bible. May the representatives of the people of this state never forget that theirs is a biblically-described, God-ordained office to serve the people who put their trust in them and elected them to be here. Let your spirit dwell in their midst while they are in session; and at their best, may they

govern us with true and sound wisdom; and at their worst, may they do us no harm. God bless you Texas and keep you brave and strong, that you may grow in power and worth, throughout the ages long. In the name of the one who created us, redeems us, and sustains us. Amen.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today to attend a funeral:

Bosse on motion of Torres.

Yarbrough on motion of Torres.

The following member was granted leave of absence for today because of important business in the district:

Garcia on motion of A. Reyna.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 3).

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CAPITOL PHYSICIAN

The speaker recognized Representative Krusee who presented Dr. Flint De Shazo of Round Rock as the "Doctor for the Day."

The house welcomed Dr. De Shazo and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

Hinojosa on motion of Hawley.

HR 80 - ADOPTED (by Kamel)

Representative Kamel moved to suspend all necessary rules to take up and consider at this time **HR 80**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 80, In memory of Dan Shull.

HR 80 was read and was unanimously adopted by a rising vote.

On motion of Representative Glaze, the names of all the members of the house were added to **HR 80** as signers thereof.

HR 74 - ADOPTED
(by Flores)

Representative Flores moved to suspend all necessary rules to take up and consider at this time **HR 74**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 74, In memory of Ruben Zamora.

HR 74 was unanimously adopted by a rising vote.

HR 75 - ADOPTED
(by Flores)

Representative Flores moved to suspend all necessary rules to take up and consider at this time **HR 75**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 75, Commending Waitz Elementary School in Mission, Texas.

HR 75 was adopted without objection.

HR 81 - ADOPTED
(by Pickett)

Representative Pickett moved to suspend all necessary rules to take up and consider at this time **HR 81**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 81, Honoring Arthur Shaw for his contributions to the field of education in Texas.

HR 81 was adopted without objection.

HR 77 - ADOPTED
(by Dunnam)

Representative Dunnam moved to suspend all necessary rules to take up and consider at this time **HR 77**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 77, Honoring the teachers and principal of St. Louis Catholic School.

HR 77 was adopted without objection.

HR 82 - ADOPTED
(by Hodge)

Representative Hodge moved to suspend all necessary rules to take up and consider at this time **HR 82**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

HR 82, Congratulating the Honorable Yvonne Davis on the occasion of her birthday.

HR 82 was read and was adopted without objection.

On motion of Representative E. Reyna, the names of all the members of the house were added to **HR 82** as signers thereof.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Speaker pro tempore in the chair)

RULES SUSPENDED

Representative Sadler moved to suspend all necessary rules to allow the Select Committee on Revenue and Public Education Funding to meet at 3:30 p.m. today instead of the posted time of 5 p.m.

The motion prevailed without objection.

(Speaker in the chair)

Representative Goodman moved to suspend all necessary rules to allow the Committee on Juvenile Justice and Family Issues to have an organizational meeting.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Select Committee on Revenue and Public Education Funding, 3:30 p.m. today.

Juvenile Justice and Family Issues, on adjournment Wednesday, February 5, E1.026, Capitol Extension.

ADJOURNMENT

Representative Counts moved that the house adjourn until 10 a.m. tomorrow in memory of Allen Thomas Kouch, retired superintendent of Rule I.S.D.

The motion prevailed without objection.

The house accordingly, at 10:59 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were

today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 426 (by Hartnett, B. Turner, Rabuck, Allen, and Clark), Relating to false public records; creating an offense.

To Judicial Affairs.

HB 427 (by Pitts), Relating to the inventory, appraisalment, and list of claims of an estate in probate.

To Judicial Affairs.

HB 428 (by Pitts), Relating to certain classification systems used for workers' compensation insurance purposes by the Texas Department of Insurance.

To Business & Industry.

HB 429 (by Bailey), Relating to collective bargaining agreements for police officers in certain municipalities.

To Urban Affairs.

HB 430 (by Bailey), Relating to the minimum wage.

To Economic Development.

HB 431 (by Bailey), Relating to limits on the compensation and employment of school district administrators.

To Public Education.

HB 432 (by Place and Greenberg), Relating to the eligibility of inmates serving sentences for indecency with a child for release on mandatory supervision.

To Corrections.

HB 433 (by Maxey and Dukes), Relating to school district financial accountability.

To Public Education.

HB 434 (by Maxey and Dukes), Relating to assistance by regional education service centers and the Texas Department of Insurance to school districts in meeting district insurance needs.

To Public Education.

HB 435 (by Maxey), Relating to supplemental payments of annuities by the Teacher Retirement System of Texas.

To Pensions & Investments.

HB 436 (by Maxey), Relating to a study project involving the use of computer networks in public schools.

To Public Education.

HB 437 (by Gutierrez, Flores, and Serna), Relating to restricting written reports required of public school classroom teachers.

To Public Education.

HB 438 (by Alvarado), Relating to the implementation of a controlled substances testing program to be administered to inmates housed in facilities operated by or under contract with the Texas Department of Criminal Justice.

To Corrections.

HB 439 (by Alvarado, et al.), Relating to the establishment of child care training centers for certain recipients of public assistance.

To Economic Development.

HB 440 (by Kamel and Glaze), Relating to the statutory county courts of Smith County.

To Judicial Affairs.

HB 441 (by Wise and Chavez), Relating to the prosecution of and punishment for an offense in which a controlled substance is used to facilitate the commission of the offense.

To Criminal Jurisprudence.

HB 442 (by Wise), Relating to alternate methods of taking an examination for a driver's license.

To Public Safety.

HB 443 (by Wise and Chavez), Relating to the creation of the Bureau for Economic Development and Hispanic Studies.

To State Affairs.

HB 444 (by Longoria), Relating to the licensing of certain persons as attorneys.

To Judicial Affairs.

HB 445 (by Raymond and Counts), Relating to a driver's license that authorizes the operation of a motorcycle.

To Ways & Means.

HB 446 (by Maxey), Relating to the establishment of trusts for certain recipients of medical assistance.

To Human Services.

HB 447 (by Wolens), Relating to a voluntary consensual encumbrance on homestead property for the purpose of an equity loan.

To Financial Institutions.

HB 448 (by Eiland), Relating to a child's property damage to a hotel.

To Juvenile Justice & Family Issues.

HB 449 (by Eiland), Relating to the control of and disabling of gambling devices, equipment, or paraphernalia while an ocean-going vessel is in the territorial waters of this state.

To Licensing & Administrative Procedures.

HB 450 (by Eiland), Relating to residency requirements for municipal employees.

To Urban Affairs.

HB 451 (by Eiland), Relating to the use of certain state services and facilities by members of the legislature.

To State Affairs.

HB 452 (by Eiland), Relating to registration and renewal fees paid by certain registered professional engineers.

To Licensing & Administrative Procedures.

HB 453 (by Eiland), Relating to a report of a financial institution's deposits and loans.

To Financial Institutions.

HB 454 (by Rabuck), Relating to requiring public notice of an application for an authorization to store certain radioactive waste.

To Environmental Regulation.

HB 455 (by G. Lewis, et al.), Relating to objection to a visiting judge.

To Judicial Affairs.

HB 456 (by Rodriguez and McClendon), Relating to the creation of an offense for the acquisition of a handgun by a person while under an active protective order and the inclusion of information relating to protective orders in the computerized criminal history system maintained by the Department of Public Safety.

To Public Safety.

HB 457 (by Cuellar, Naishtat, and Dukes), Relating to certain performance measures and evaluations of workforce programs and to the administration of workforce development programs by the Texas Workforce Commission and the Council on Workforce and Economic Competitiveness.

To Economic Development.

HB 458 (by Cuellar), Relating to credit in the Judicial Retirement System of Texas Plan Two for certain judicial service.

To Pensions & Investments.

HB 459 (by Maxey), Relating to penalties for violation of certain nuisance and sanitation laws.

To Public Health.

HB 460 (by Maxey, Wohlgemuth, and Naishtat), Relating to federal waivers or authorizations relating to certain federally funded long-term care Medicaid programs.

To Human Services.

HB 461 (by Carter, Allen, Wilson, Hupp, et al.), Relating to persons eligible for a license to carry a concealed handgun, to the rights and duties of license holders, and to certain offenses involving weapons.

To Public Safety.

HB 462 (by Zbranek), Relating to the application of the professional prosecutors law to the district attorney for the 88th Judicial District.

To Judicial Affairs.

HB 463 (by Zbranek), Relating to the use of hotel occupancy tax revenue by certain counties that border the Gulf of Mexico.

To Ways & Means.

HB 464 (by Zbranek), Relating to certain information that must be disclosed in political advertising.

To Elections.

HB 465 (by Zbranek, et al.), Relating to residency for purposes of admission into the public schools of a school district free of tuition.

To Public Education.

HB 466 (by Cuellar), Relating to the establishment and operation of a program to provide guardianship services to certain incapacitated adults.

To Human Services.

HB 467 (by Howard), Relating to excused absences from public school attendance.

To Public Education.

HB 468 (by Howard), Relating to certain parental rights concerning children attending public schools.

To Public Education.

HB 469 (by Howard, et al.), Relating to review of criminal history records of public school employees.

To Public Education.

HB 470 (by Howard), Relating to the public education grant program.

To Public Education.

HB 471 (by Howard), Relating to the composition of the Texas Education Agency.

To Public Education.

HB 472 (by Howard), Relating to the composition and powers and duties of the Texas Education Agency.

To Public Education.

HB 473 (by Howard and Olivo), Relating to the licensing of waste haulers by certain counties.

To Environmental Regulation.

HB 474 (by Mowery), Relating to judicial review of certain local civil service commission decisions.

To County Affairs.

HB 475 (by Craddick), Relating to the effect of certain types of divorce decrees on retirement benefits payable by the Teacher Retirement System of Texas.

To Pensions & Investments.

HB 476 (by Craddick), Relating to the discretion of a judge to order execution of sentence for certain defendants convicted of state jail felonies.

To Criminal Jurisprudence.

HB 477 (by Craddick), Relating to certain juror donations used to support certain charities.

To Judicial Affairs.

HB 478 (by Craddick), Relating to the use of recording devices to preserve court proceedings.

To Judicial Affairs.

HB 479 (by Craddick), Relating to the exemption from ad valorem taxation of marine cargo containers used exclusively in international commerce.

To Ways & Means.

HB 480 (by Craddick), Relating to the responsibilities of the district attorney for the 142nd Judicial District.

To Judicial Affairs.

HB 481 (by Walker), Relating to administration of state-adopted assessment instruments to certain public school students.

To Public Education.

HB 482 (by Palmer), Relating to the creation of municipal courts of record in Lake Worth.

To Judicial Affairs.

HB 483 (by R. Lewis), Relating to notification of a licensee or license applicant of student loan default as a ground for nonrenewal of a license.

To State Affairs.

HB 484 (by R. Lewis), Relating to smoke-free dwellings in certain multi-unit complexes.

To Business & Industry.

HB 485 (by McClendon, et al.), Relating to requiring that an out-of-state inmate housed in a correctional facility in this state be returned to the sending state before the inmate's release from imprisonment.

To Corrections.

HB 486 (by Swinford), Relating to the offense of theft of public library property.

To Criminal Jurisprudence.

HB 487 (by Danburg and Maxey), Relating to the prohibition of employment discrimination on the basis of sexual orientation.

To State Affairs.

HB 488 (by Allen), Relating to the terms of tax abatement agreements entered into by the Dallas County Flood Control District No. 1.

To Natural Resources.

HB 489 (by Allen, Greenberg, and Woolley), Relating to the applicability of a sexual offender registration program to certain defendants and to the procedures used to register and monitor sex offenders.

To Corrections.

HB 490 (by Allen), Relating to the falsification of certain licenses and documents provided for by law in relation to operation of a motor vehicle.

To Criminal Jurisprudence.

HB 491 (by Allen), Relating to certain criminal background checks regarding applicants for and holders of chemical dependency counselor licenses.

To Public Health.

HB 492 (by Maxey), Relating to activities covered by the Texas Food, Drug and Cosmetic Act.

To Public Health.

HB 493 (by Alvarado), Relating to the regulation of the sale or distribution of tobacco products; providing penalties.

To State Affairs.

HB 494 (by Alvarado), Relating to false claims made with certain governmental entities.

To Civil Practices.

HB 495 (by Horn), Relating to the appraisal of an inventory for ad valorem tax purposes.

To Ways & Means.

HB 496 (by Horn), Relating to parental access to assessment instruments administered by the state in public schools.

To Public Education.

HB 497 (by Finnell), Relating to the use of frequent flyer bonuses awarded to certain state officers and employees.

To State Affairs.

HB 498 (by Chisum), Relating to requiring inmates of the Texas Department of Criminal Justice to pay certain expenses associated with the cost of their confinement.

To Corrections.

HB 499 (by Chisum), Relating to permitting certain law enforcement authorities to receive reduced airfare while engaged in certain official business.

To State Affairs.

HB 500 (by Finnell), Relating to application of the professional prosecutors law to the district attorney of the 50th Judicial District.

To Judicial Affairs.

HB 501 (by Woolley), Relating to the law applicable to interlocal contracts made by local governments.

To County Affairs.

HB 502 (by Bosse, Crabb, and Williams), Relating to the extraterritorial jurisdiction of certain municipalities.

To Land & Resource Management.

HB 503 (by Bosse), Relating to repair of motor vehicles covered under insurance policies and to civil remedies for unfair competition or practices in the business of insuring motor vehicles against damage.

To Insurance.

HB 504 (by Dutton), Relating to the automatic expunction of criminal records.

To Criminal Jurisprudence.

HB 505 (by Dutton), Relating to qualification as a self-insurer to satisfy certain evidence of financial responsibility requirements.

To Insurance.

HB 506 (by Dutton), Relating to a bill of review by a civil court.

To Civil Practices.

HB 507 (by Dutton), Relating to educational and employment experience requirements for individuals hired as guards by counties or vendors contracting with the Texas Department of Criminal Justice.

To Corrections.

HB 508 (by Dutton), Relating to the secrecy of grand jury proceedings.
To Criminal Jurisprudence.

HB 509 (by Dutton), Relating to considering high school ratings in undergraduate admissions and scholarship awards at a public institution of higher education.

To Higher Education.

HB 510 (by Maxey and Bailey), Relating to the prohibition of conflicts of interest regarding gifts to and the naming of facilities by university systems or their components.

To Higher Education.

HB 511 (by Coleman, Naishtat, Cuellar, and Greenberg), Relating to the establishment of child care training centers for certain recipients of public assistance.

To Economic Development.

HB 512 (by Coleman, Greenberg, Cuellar, Dukes, and Naishtat), Relating to a state program of loan guarantees to promote child care services.

To Economic Development.

HB 513 (by Cuellar, et al.), Relating to the provision of health care to an inmate confined in the institutional division of the Texas Department of Criminal Justice.

To Corrections.

HB 514 (by Naishtat, Coleman, Maxey, Greenberg, and Dukes), Relating to the establishment and operation of the Texas child care fund.

To Economic Development.

HB 515 (by Dunnam, et al.), Relating to the waiver of a trial by jury.

To Criminal Jurisprudence.

HB 516 (by Thompson), Relating to a report by the child support enforcement division of the Office of the Attorney General on reducing the offensive behavior of its employees.

To Judicial Affairs.

HB 517 (by Thompson), Relating to the exemption of certain persons from jury service.

To Judicial Affairs.

HB 518 (by Thompson, et al.), Relating to the creation of a judicial compensation commission.

To Judicial Affairs.

HB 519 (by Elkins), Relating to a jury's role in criminal and certain civil cases.

To Criminal Jurisprudence.

HB 520 (by Woolley), Relating to menhaden boat licenses.

To State Recreational Resources.

HB 521 (by Galloway, et al.), Relating to the punishment for the offense of burglary of a vehicle.

To Criminal Jurisprudence.

HB 522 (by Thompson), Relating to costs in certain family law cases.
To Juvenile Justice & Family Issues.

HB 523 (by Thompson), Relating to volunteer advocates appearing at court hearings on behalf of children.

To Juvenile Justice & Family Issues.

HB 524 (by Thompson), Relating to the payments of insurance benefits for a child to the possessory or managing conservator of the child.

To Insurance.

HB 525 (by Swinford), Relating to the right to conduct agricultural operations and to complaints, including nuisance actions and other nuisance complaints, against agricultural operations.

To Agriculture & Livestock.

HB 526 (by Shields, Chisum, et al.), Relating to the immediate qualification for an ad valorem tax exemption for a church or other nonprofit organization.

To Ways & Means.

HB 527 (by Pitts), Relating to the sale or lease of superconducting super collider property given to a county by the United States Department of Energy.

To County Affairs.

HB 528 (by D. Jones), Relating to the probate of certain wills without a court hearing.

To Judicial Affairs.

HB 529 (by D. Jones), Relating to sealing an inventory and appraisalment in a probate matter.

To Judicial Affairs.

HB 530 (by Stiles and Berlanga), Relating to coverage for childhood immunizations under certain health benefit plans.

To Insurance.

HB 531 (by Shields), Relating to expunction of certain records of the Texas Department of Insurance.

To Insurance.

HB 532 (by Pitts), Relating to contracts for the appraisal of property for ad valorem tax purposes.

To Ways & Means.

HB 533 (by Swinford and Van de Putte), Relating to certain dealer agreements concerning off-road construction equipment.

To Business & Industry.

HB 534 (by Swinford), Relating to the dedication of certain lottery revenues to the counties.

To Ways & Means.

HB 535 (by Swinford), Relating to the dedication of certain lottery revenues to the counties for juvenile justice purposes.

To Ways & Means.

HB 536 (by Goodman, Naishtat, et al.), Relating to regulation of children's advocacy centers.

To Human Services.

HB 537 (by Goodman), Relating to the Uniform Unclaimed Property Act; providing civil penalties.

To Business & Industry.

HB 538 (by Maxey), Relating to the distribution of general revenue appropriations to certain institutions of higher education.

To Appropriations.

HB 539 (by Uher, et al.), Relating to the civil liability of charitable organizations that are chambers of commerce.

To Civil Practices.

HB 540 (by Serna), Relating to educational programs offered to colonia residents by the Texas Department of Housing and Community Affairs.

To Urban Affairs.

HB 541 (by Puente), Relating to the statutory legislative continuance in a civil or criminal case.

To State Affairs.

HB 542 (by Puente), Relating to the appeal by a defendant of the revocation of deferred adjudication community supervision.

To Criminal Jurisprudence.

HB 543 (by Puente), Relating to the use of a candidate's nickname on the ballot.

To Elections.

HB 544 (by Garcia), Relating to an optional majority vote requirement for election of trustees in certain independent school districts.

To Public Education.

HB 545 (by Maxey and Dukes), Relating to membership of mental health and mental retardation boards.

To Public Health.

HB 546 (by Bosse), Relating to the civil liability of charitable organizations providing crime prevention or law enforcement services.

To Civil Practices.

HB 547 (by Culberson and Allen), Relating to the eligibility for release on parole of certain inmates serving sentences for violent offenses.

To Corrections.

HB 548 (by Culberson), Relating to the composition of the Texas Board of Criminal Justice and the administration of the Texas Department of Criminal Justice.

To Corrections.

HB 549 (by Culberson), Relating to requests for issuance of arrest warrants for inmates who fail to report to parole officers as required by the terms of the inmates' release on parole or to mandatory supervision.

To Corrections.

HB 550 (by Culberson), Relating to the punishment of certain defendants convicted of attempted murder.

To Criminal Jurisprudence.

HB 551 (by Culberson), Relating to notice of the intended use of an alibi defense in a criminal case.

To Criminal Jurisprudence.

HB 552 (by Culberson), Relating to compulsory school attendance and the suspension of driver's licenses issued to certain public school students.

To Public Education.

HB 553 (by Culberson), Relating to funding of educational services provided by certain juvenile justice programs.

To Revenue & Public Education Funding, Select.

HB 554 (by Culberson), Relating to the distribution of exemplary damages to the permanent school fund.

To Civil Practices.

HB 555 (by Culberson), Relating to the composition of the permanent school fund and the financing of the Foundation School Program.

To Revenue & Public Education Funding, Select.

HB 556 (by Culberson), Relating to discovery of evidence of the net worth of a defendant.

To Civil Practices.

HB 557 (by Culberson), Relating to the repeal of certain wage requirements regarding payment for services under certain public contracts.

To State Affairs.

HB 558 (by Culberson), Relating to requiring public notice before certain actions relating to a criminal detention facility can be taken.

To Corrections.

HB 559 (by Culberson), Relating to dogs causing serious bodily injury to a person.

To County Affairs.

HB 560 (by Hirschi), Relating to limiting the liability of certain persons for bovine activities.

To Civil Practices.

HB 561 (by Hochberg), Relating to the exchange of information between certain health care regulatory agencies.

To Public Health.

HB 562 (by Raymond), Relating to excepting from required disclosure under the open records law certain information related to an athletic or other scholastic competition.

To State Affairs.

HB 563 (by Swinford), Relating to attorney's fees in civil actions.

To Civil Practices.

HB 564 (by Oliveira and Yarbrough), Relating to certain hearings and investigations conducted by the Texas Workforce Commission.

To Economic Development.

HB 565 (by Oliveira and Yarbrough), Relating to eligibility for and payment of unemployment compensation benefits.

To Economic Development.

HB 566 (by Oliveira and Yarbrough), Relating to deductions from the winnings of lottery winners determined to be delinquent in certain amounts collected by the Texas Workforce Commission.

To Economic Development.

HB 567 (by Oliveira and Yarbrough), Relating to the operation and administration of the state unemployment compensation system.

To Economic Development.

HB 568 (by Oliveira and Yarbrough), Relating to the authority of the Texas Workforce Commission to accept donations.

To Economic Development.

HB 569 (by Madden), Relating to false or erroneous information in state agency documents.

To State Affairs.

HB 570 (by Thompson, Dukes, Serna, et al.), Relating to convulsive or coma-inducing therapies and the prohibition of electroconvulsive therapy; providing a penalty.

To Public Health.

HB 571 (by Rangel, Kamel, Flores, et al.), Relating to exempting certain educational aides from tuition and fees charged by institutions of higher education.

To Higher Education.

HB 572 (by Rangel, Kamel, et al.), Relating to providing tuition and fee scholarships funded from state lottery revenue and other sources to students at institutions of higher education who meet certain academic, citizenship, and other requirements.

To Ways & Means.

HB 573 (by Keel), Relating to the admissibility of certain evidence in a criminal proceeding.

To Criminal Jurisprudence.

HB 574 (by Hawley), Relating to the fiscal administration of the San Patricio County Navigation District No. 1.

To Natural Resources.

HB 575 (by Howard, et al.), Relating to certain requirements relating to public school reading and mathematics instruction and textbooks and to the minimum number of days of service for certain public school educators.

To Public Education.

HB 576 (by Howard and Olivo), Relating to associate judges appointed by the district courts and county courts at law of Fort Bend County.

To Judicial Affairs.

HB 577 (by Rhodes), Relating to classifying as delinquent conduct the conduct of certain children who engage in driving while intoxicated.

To Juvenile Justice & Family Issues.

HB 578 (by Craddick), Relating to powers of certain nonresident insurance agents.

To Insurance.

HB 579 (by Rabuck), Relating to the voting rights of residents of a municipality's extraterritorial jurisdiction.

To Land & Resource Management.

HB 580 (by Coleman and Maxey), Relating to enforcement of laws relating to parking by persons with disabilities.

To Public Safety.

HB 581 (by Eiland), Relating to the correction of an ad valorem tax appraisal roll.

To Ways & Means.

HB 582 (by Maxey), Relating to state-adopted prereading and reading assessment instruments administered to public school students.

To Public Education.

HB 583 (by Maxey), Relating to the parental involvement division of the Texas Education Agency.

To Public Education.

HB 584 (by Maxey), Relating to accreditation ratings assigned to school districts.

To Public Education.

HB 585 (by Bailey), Relating to requiring certain municipalities to hold an election in an area proposed to be annexed and the effects of an annexation election.

To Land & Resource Management.

HB 586 (by Bailey), Relating to permitting collective bargaining between the state or a political subdivision of the state and certain labor organizations representing public employees.

To State Affairs.

HB 587 (by Hunter), Relating to the definition of certain community centers.

To Public Health.

HB 588 (by Rangel, Kamel, Maxey, Cuellar, Giddings, et al.), Relating to uniform admission and reporting procedures for institutions of higher education.

To Higher Education.

HB 589 (by Rangel), Relating to the indemnification of certain employees of certain institutions of higher education for admissions activities.

To Higher Education.

HB 590 (by Rangel, Olivo, et al.), Relating to the establishment of the Texas Opportunity Scholarship to exempt high-performing high school graduates from tuition and fees at public institutions of higher education.

To Higher Education.

HB 591 (by Thompson), Relating to the compensation of certain judges for certain hearings.

To Judicial Affairs.

HB 592 (by Thompson), Relating to standard orders for the possession of a child.

To Juvenile Justice & Family Issues.

HB 593 (by Thompson), Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

To Human Services.

HB 594 (by Thompson, et al.), Relating to certain charges for the administration of loans and loan applications.

To Financial Institutions.

HB 595 (by Cuellar, Raymond, Naishtat, et al.), Relating to development of a statewide consumer guide for senior citizens.

To Human Services.

HB 596 (by Van de Putte), Relating to the penalty group designation for certain controlled substances.

To Public Health.

HB 597 (by Maxey), Relating to admission policies at certain public institutions of higher education.

To Higher Education.

HB 598 (by Shields), Relating to reimbursement of certain administrative costs incurred by an employer in implementing a garnishment order.

To Civil Practices.

HB 599 (by Alvarado), Relating to creation of an offense involving presence of a minor on premises covered by certain alcoholic beverage permits or licenses.

To Licensing & Administrative Procedures.

HB 600 (by Rodriguez, et al.), Relating to regulation of outdoor lighting at state funded entities.

To State Affairs.

HB 601 (by Carter, et al.), Relating to the liability in relation to and regulation of the ownership, operation, and use of sport shooting ranges.

To Civil Practices.

HB 602 (by Carter), Relating to retailers' permits for, and programs funded by, tobacco sales.

To Ways & Means.

HB 603 (by Carter), Relating to the authority of the Department of Public Safety to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated or whether persons unlawfully possess controlled substances.

To Criminal Jurisprudence.

HB 604 (by Ehrhardt), Relating to the hours worked by peace officers employed by counties.

To County Affairs.

HB 605 (by Cuellar), Relating to the eligibility requirements for the chief administrative law judge of the State Office of Administrative Hearings.

To Licensing & Administrative Procedures.

HB 606 (by Zbraneck), Relating to access to nursing facilities in rural counties.

To Human Services.

HB 607 (by Maxey and Van de Putte), Relating to the creation of a durable medical equipment listing.

To Human Services.

HB 608 (by Janek), Relating to allowing for the overnight delivery of certain alcoholic beverage licenses or permits.

To Licensing & Administrative Procedures.

HB 609 (by Janek), Relating to the freedom of an insured individual to choose a doctor.

To Insurance.

HB 610 (by Janek), Relating to disclosure of certain information contained in a complaint against a physician that is filed with the Texas State Board of Medical Examiners.

To Public Health.

HB 611 (by Janek), Relating to payment of child support for a child committed to and residing in a Texas Youth Commission facility.

To Juvenile Justice & Family Issues.

HB 612 (by Janek), Relating to certain disclosures to be made by a health benefit plan business.

To Insurance.

HB 613 (by Kamel), Relating to hospital care availability for state employees.

To Pensions & Investments.

HB 614 (by Alexander), Relating to the jurisdiction of justice courts.

To Judicial Affairs.

HB 615 (by G. Lewis), Relating to the creation of additional judicial districts composed of Tarrant County.

To Judicial Affairs.

HB 616 (by Gutierrez, Hinojosa, Flores, and Wise), Relating to the transfer of certain state property from the Texas National Guard Armory Board to certain municipalities.

To Land & Resource Management.

HB 617 (by Maxey), Relating to fees for use of an automated teller machine.

To Financial Institutions.

HB 618 (by Oliveira, G. Lewis, Greenberg, et al.), Relating to the establishment of a program in the Texas Department of Commerce to secure certain loans made to small and medium-sized businesses and nonprofit organizations.

To Economic Development.

HB 619 (by R. Lewis), Relating to meetings of the Texas Higher Education Coordinating Board.

To Higher Education.

HB 620 (by Krusee), Relating to requiring county approval of certain municipal annexations.

To Land and Resource Management.

HB 621 (by Jackson and Talton), Relating to the transfer of the Texas Chiropractic College to The Texas A&M University System.

To Higher Education.

HB 622 (by Thompson), Relating to educational requirements for court coordinators.

To Judicial Affairs.

HB 623 (by Hernandez), Relating to certification of public school educators.

To Public Education.

HB 624 (by Hernandez, et al.), Relating to the fiscal year of a school district and to the submission of the appraisal roll to a taxing unit.

To Public Education.

HB 625 (by Hernandez), Relating to the disclosure of certain information submitted to a governmental entity by a potential vendor or contractor.

To State Affairs.

HB 626 (by Zbranek), Relating to the notice given by a chief appraiser requiring a person to confirm the person's qualification for an ad valorem tax exemption.

To Ways & Means.

HB 627 (by Flores and Gutierrez), Relating to proof of insurance filed with the Texas Department of Public Safety by certain motorists uninsured at the time of an accident.

To Insurance.

HB 628 (by Flores), Relating to the performance of noneducational duties by public school teachers.

To Public Education.

HB 629 (by Yarbrough), Relating to recruitment requirements for hiring

personnel at the Texas Alcoholic Beverage Commission.

To Licensing & Administrative Procedures.

HB 630 (by Yarbrough), Relating to the authority of a municipality or county to impose specific distance requirements regarding the location of a sexually oriented business.

To Land & Resource Management.

HB 631 (by Yarbrough), Relating to the criminal penalties for late filing of a report of political contributions and expenditures or a personal financial statement.

To Elections.

HB 632 (by Nixon), Relating to the assignment of certain retired or former judges as visiting judges.

To Judicial Affairs.

HB 633 (by Maxey, Dukes, et al.), Relating to retirement of members of the employee class of the Employees Retirement System of Texas; providing for appropriation reductions.

To Pensions & Investments.

HB 634 (by Pitts and Kamel), Relating to installment payments on a prepaid college tuition contract.

To Higher Education.

HB 635 (by Shields), Relating to public school admission and attendance; providing a criminal penalty.

To Public Education.

HB 636 (by Solomons), Relating to dedicating certain sales tax revenue on boats to fund boating safety programs.

To Ways & Means.

HB 637 (by Solomons), Relating to the enhancement of the penalty for certain offenses involving intoxication.

To Criminal Jurisprudence.

HB 638 (by Kamel), Relating to persons convicted of the offense of driving while intoxicated.

To Criminal Jurisprudence.

HB 639 (by Kamel), Relating to requiring municipalities to obtain annexation approval from voters in the area to be annexed.

To Land & Resource Management.

HB 640 (by Kamel, Bailey, and Cuellar), Relating to exempting peace officers disabled in the line of duty from tuition and fees charged by a public institution of higher education.

To Higher Education.

HB 641 (by Haggerty, et al.), Relating to the maximum value of a raffle prize.

To Licensing & Administrative Procedures.

HB 642 (by Dutton), Relating to a bill of particulars in a criminal case.

To Criminal Jurisprudence.

HB 643 (by Dutton), Relating to compliance with financial reporting requirements as a qualification for public office.

To Elections.

HB 644 (by Solomons), Relating to protection of public drinking water systems.

To Natural Resources.

HB 645 (by McClendon, Maxey, et al.), Relating to restrictions on the location of facilities that store hazardous wastes, hazardous substances, or bulk fuel.

To Environmental Regulation.

HB 646 (by Goodman), Relating to jury submissions in a suit affecting the parent-child relationship.

To Juvenile Justice & Family Issues.

HB 647 (by Ramsay, et al.), Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

To Human Services.

HB 648 (by Coleman and Maxey), Relating to local school health education advisory councils and to human sexuality instruction in public schools.

To Public Education.

HB 649 (by Bosse), Relating to the use of unmarked motor vehicles by county fire marshals.

To County Affairs.

HB 650 (by Eiland), Relating to the qualifications of a member of the board of directors of an appraisal district.

To Ways & Means.

HB 651 (by Allen, Talton, Greenberg, and Danburg), Relating to the involuntary termination of the parent-child relationship based on certain criminal conduct by a parent.

To Juvenile Justice & Family Issues.

HB 652 (by Haggerty), Amending Article 3.70-13, relating to certain policies continuous.

To Insurance.

HB 653 (by Maxey), Relating to the exemption of insurance coverage self-funded by the state from certain insurance laws.

To Pensions & Investments.

HB 654 (by Walker), Relating to requiring that a parent be given notice of a student's placement into in-school suspension.

To Public Education.

HB 655 (by Craddick, Hawley, and Keffer), Relating to a tax exemption for hydrocarbon production from certain inactive oil and gas leases returned to production.

To Ways & Means.

HB 656 (by Wilson), Relating to child-centered scholarships for public

school students.

To Revenue & Public Education Funding, Select.

HB 657 (by Craddick), Relating to the privilege against disclosure of certain communications by emergency stress management volunteers.

To Civil Practices.

HB 658 (by Burnam), Relating to the county of residence of certain persons released on parole or to mandatory supervision after serving sentences for sexual offenses.

To Corrections.

HB 659 (by Burnam), Relating to the eligibility for parole of certain defendants convicted of sexual assaults or other sexual offenses.

To Corrections.

HB 660 (by Burnam), Relating to creating the offense of unlawful possession of certain firearms by a minor.

To Criminal Jurisprudence.

HB 661 (by Burnam, et al.), Relating to the prosecution of and the punishment for the offense of the unlawful transfer of certain weapons.

To Criminal Jurisprudence.

HB 662 (by Burnam), Relating to the punishment for the offense of deadly conduct involving a firearm.

To Criminal Jurisprudence.

HB 663 (by Maxey, Naishtat, and Wohlgemuth), Relating to the assessment of needs of individuals served by long-term care services programs offered by health and human services agencies.

To Human Services.

HB 664 (by Finnell), Relating to the authority of county judges to issue certain search warrants.

To Criminal Jurisprudence.

HB 665 (by Krusee), Relating to the contents of reports of political contributions.

To Elections.

HB 666 (by Krusee), Relating to authorizing certain municipal utility districts to repair and maintain streets and to issue bonds and use bond proceeds for that purpose.

To Natural Resources.

HB 667 (by Crabb, et al.), Relating to the right of voters in a municipality to participate in municipal elections.

To Land & Resource Management.

HB 668 (by Eiland), Relating to the requirement that deliberations relating to collective bargaining between certain public employers and certain employee associations be open to the public.

To State Affairs.

HB 669 (by Shields), Relating to certain activities involving false proof of motor vehicle liability insurance coverage; providing criminal penalties.

To Criminal Jurisprudence.

HB 670 (by Shields, et al.), Relating to the appraisal of property located

in more than one appraisal district.

To Ways & Means.

HB 671 (by Alvarado), Relating to a prohibition of certain underwriting decisions based on credit reports; providing a penalty.

To Insurance.

HB 672 (by Alvarado and Maxey), Relating to measurement of fraud in certain state-funded health care programs.

To State Affairs.

HB 673 (by Madden), Relating to compliance with the federal Voting Rights Act.

To Elections.

HB 674 (by Madden and Danburg), Relating to certain early voting processes and procedures; providing criminal penalties.

To Elections.

HB 675 (by Howard and Olivo), Relating to the selection of the chairman of the juvenile board in Fort Bend County.

To Juvenile Justice & Family Issues.

SB 250 to Corrections.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 3

HCR 3

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, February 4, 1997

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 48 Counts SPONSOR: Haywood
Recognizing February 13, 1997, as the Texas Day of Prayer.

HCR 49 Bailey SPONSOR: Gallegos, Jr.

Offering condolences to the citizens of Houston in the aftermath of the Northline Mall tragedy.

SB 145 Nixon, Drew
Relating to the acceptance of gifts by state entities.

SB 197 Zaffirini
Relating to the regulation of alcohol awareness courses by the Texas Commission on Alcohol and Drug Abuse.

SB 221 Sibley
Relating to the suspension or revocation of a real estate license for failure to include a termination date in certain real estate contracts.

SB 223 Sibley
Relating to continuing education requirements for real estate brokers and salesmen.

SCR 12 Madla
In memory of the Honorable Frank Tejeda.
Respectfully,

Betty King
Secretary of the Senate

APPENDIX

ENROLLED

February 3 - **HCR 3**